REMARKS/ARGUMENTS

The above amendments and these remarks are in response to the Office action mailed on March 12, 2007. Claims 35-37 have been added and are directed to subject matter disclosed in the application as originally filed. No new matter has been added. Claims 6-15, 19, 29 and 31-37 are now pending in this application. Reconsideration on the basis of the above amendments and remarks below is kindly requested.

First of all, the undersigned attorney wishes to thank the Examiner for the telephonic interview on September 18, 2007 where the claims and the prior art were discussed.

Applicant wants to take this opportunity to further address the rejection to claims 29 and 30 under 35 U.S.C. §103(a) as being unpatentable over Aschenbeck et al., U.S. Patent No. 4,693,357 in view of Pepiciello et al., further in view of Wenner, U.S. Patent No. 4,591,042 and still further in view of Dobbins et al., U.S. Patent No. 6,929,110, as well as the rejection to claims 29 and 30 under 35 U.S.C. §103(a) as being unpatentable over Henry, U.S. Patent No. 2,348,434 in view of Glaser, U.S. Patent No. 5,915,519 and further in view of Ficken, U.S. Patent No. 4,823,984.

Claim 29 is directed to a coin mechanism including a contoured channel which has an opening formed on the channel surface and "an actuator configured to be actuated by a user and to transmit a force onto said coin at least partially obstructing the opening to press the coin against the channel so as to transmit a force to said channel to displace the channel about an axis thereof to dispense a selected product from the vending machine." In FIGS. 3 and 4 relied on by the Examiner, Aschenbeck et al. discloses a gate 22 that pivots a gate 28 when a coin is in the first chute and aligns the gate 22 with a second chute. Neither Aschenbeck et al., nor Pepiciello et al., nor Wenner, nor Dobbins et al. appears to disclose, teach or suggest an actuator which is configured to be actuated by a user to transmit a force onto a coin at least partially obstructing an opening "to press the coin against the channel so as to transmit a force to said channel to displace the channel about an axis thereof to dispense a selected product from the vending machine." The coin in Aschenbeck et al., does not transmit a force to a channel for displacing the channel. In

other words, the separation of the chutes in FIG. 4 of Aschenbeck et al. does not appear to be caused by a pressure applied to a coin. Since neither references disclose this element of claim 29, the references cannot be combined to achieve the claimed invention.

Furthermore, Henry also does not appear to disclose this element of claim 29. Glaser discloses a coin chute having a back plate 24. When a coin or other object is lodged in the chute, the operator rotates a knob 28 which in turn rotates a cam 74 to allow a plate 70 which supports the back plate 14 to drop. When that happens, the back plate 14 swings outward due to gravity as described on column 4, lines 24-32. When the object does not fall freely, then a kicker may be used which pushes the coin outward, as shown in FIG. 4 and described on column 4, lines 34-37. Neither Glaser nor Henry disclose an actuator which transmits a force to a coin which presses the coin against the channel to transmit a force to the channel to pivotally displace the channel. If the Examiner has considered the back plate 24 to be a channel, that back plate 24 does not displace due to a force applied to a coin, but rather displaces due to gravity when plate 70 drops downward. Thus, if cam 74 disclosed in Glaser is rotated and the plate 86 drops, the back plate will automatically open due to gravity. In such case, an actuation of the kicker would not be able to further displace the back plate from the main plate. If the cam 74 is in the position, as for example shown in FIG. 3 of Glaser, application of pressure to the coin by kicker 6 would not be able to displace the back plate from the main plate, as the back plate will be held in the closed position by the plate 88. Thus, neither of these references discloses an element of claim 29. Furthermore, even if one skilled in the art were to incorporate the mechanism of Glaser into the mechanism of Henry, the derived mechanism would also not result in the claimed invention. Thus, the combination of Glaser, Henry and Ficken cannot render claim 29 obvious.

Claim 30 is dependent from claim 29. As such, claim 30 should also be in condition for allowance for the same reasons as claim 29 and for the additional limitations it contains therein.

Claim 35 has been added and requires "an actuator comprising a portion for penetrating said opening, wherein when said coin at least partially obstructs said opening, actuation of said actuator will transmit a force to said coin which will cause the second plate to pivot relative to the first plate to the second position." As discussed, neither of the cited references appear to

disclose such a feature. Thus, claim 35 should also be allowable over the cited references discussed herein. Claims 36 and 37 are dependent from claim 35. As such, these claims should also be allowable for the same reasons as claim 35 and for the additional limitations that these claims contain therein.

The rejections to all claims pending in this application are believed to have been overcome and this application is now believed to be in condition for allowance. Should the Examiner have any remaining questions or concerns about the allowability of this application, the Examiner is kindly requested to call the undersigned attorney to discuss them.

Respectfully submitted,

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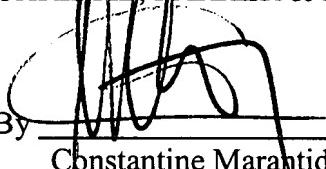
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